

# Iowa Department of Human Rights

## FY2010 Annual Report



**Mission:** To ensure basic rights, freedoms, and opportunities for all by empowering underrepresented Iowans and eliminating economic, social, and cultural barriers.

**Vision:** The Department of Human Rights is the results-oriented leader in creating a more inclusive and productive Iowa.

**Iowa Code:** 216A

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Division of Community Action Agencies

Division of Community Advocacy and Services

Division of Criminal and Juvenile Justice Planning

Offices of

Asian and Pacific Islander Affairs | Deaf Services | Latino Affairs | Native American Affairs | Persons with Disabilities | Status of African Americans | Status of Women

November 29, 2010

The Honorable Chester J. Culver  
The Honorable Patty Judge  
Members of the 83<sup>rd</sup> General Assembly  
State Capitol Building  
Des Moines, IA 50319

Dear Governor Culver, Lieutenant Governor Judge, and Members of the 83<sup>rd</sup> General Assembly:

The Iowa Department of Human Rights (DHR) is proud to present its first integrated Annual Report for FY10 pursuant to our statutory reorganization, effective in March of this year. Rather than submitting nine separate reports as we have in the past, we offer a single document to tell for the first time the story of DHR as a coherent department focused to more effectively serve underrepresented Iowans and make our state a better place.

Out of respect for your limited time, we have streamlined the information we have traditionally supplied to you when we functioned as separate divisions, concentrating on how reorganization has achieved efficiencies and saved taxpayer dollars without unduly impacting services. However, we also want to share with you some of the significant achievements that have been possible, even in this year of uncertainty.

In the research leading up to our reorganization, we learned from our customers and stakeholder partners that they value our data, our service and program delivery model, and our cultural expertise. For many people, DHR is seen as a “gateway to government”; our staff help to make government more accessible and more understandable for Iowans who have traditionally faced barriers in representation and/or in services. As we plodded through difficult choices, longstanding traditions, and unforeseen impacts of the reorganization, we remained focused on the needs of the diverse constituencies we serve.

Though the Report reviews the activities of FY10, we made a strong attempt to ensure this document is also forward-looking. We hope that the information included will give you a clear picture of DHR’s newly adopted mission and structure, and that, in line with our department’s new vision, the Report may spark your ideas for how DHR can be a more useful resource in “Creating a More Inclusive and Productive Iowa.”

We look forward to working with you in 2011.

Sincerely,



Preston A. Daniels  
Department Director

## **Executive Summary**

The Iowa Department of Human Rights (DHR) is a state agency with a mission to ensure basic rights, freedoms, and opportunities for all by empowering underrepresented Iowans and eliminating economic, social, and cultural barriers. Originally conceived in 1987 as an umbrella agency for several agencies that had previously operated independently, DHR undertook statutory reorganization in 2010 as part of the omnibus government reorganization bill, SF2088. Though DHR's core functions remain unchanged—administration of federal programs to help low income families, research and data analysis pertaining to juvenile and criminal justice issues, and advocacy and services to Iowans who have historically been marginalized—the department has significantly streamlined its administrative functions and is better aligned to pursue an integrated strategy to achieve its vision: a more productive and inclusive Iowa.

The primary outcomes of reorganization include:

- Consolidating ten Divisions into three
- Expanding span of control for supervisors from 1:6 to 1:17
- Creating a Human Rights Board for integrated strategic planning and oversight, comprised of representatives from all DHR Commissions and Councils, public members, and legislative ex officio members
- Reducing the size of most Commissions to a consistent 7 (41 fewer Commissioners)

Through reclassification of State Employee Retirement Incentive Program positions and combining some positions, DHR has been able to reduce staffing without layoffs of employees. As of the beginning of FY11, DHR combined state appropriations and budgets that had been previously separate, considerably streamlining its budget processes.

DHR pursued a single, integrated policy agenda with one registered lobbyist/legislative liaison for the first time in its history in the 2010 General Assembly. Major legislative achievements include: reorganization of the Department, updating Iowa Code regarding the rights of persons with disabilities, the addition of the Public Safety Advisory Board to the department's duties, and the prohibition of firearms possession for domestic abusers.

The Division of Community Action Agencies has successfully expanded its regular programming under requirements of the American Recovery and Reinvestment Act (ARRA) to serve thousands more Iowans in need during the economic downturn. The Division of Community Advocacy and Services met the challenge of consolidating seven Offices that represent diverse constituencies and which all have heretofore been providing different types of services. The Division of Criminal and Juvenile Justice Planning oversaw the continued growth and development of the Criminal Justice Information System and assisted communities in achieving significant reductions in rates of juvenile detention, including of minority youth, without compromising public safety.

DHR has never been better positioned to achieve real results in ensuring all Iowans have the opportunities to contribute to and benefit from the state's economic, cultural and social opportunities. Through administering programs to fight poverty in Iowa communities, utilizing data to support public safety and to better understand trends in criminal and juvenile justice, and assisting Iowans of racial/ethnic minority groups and those with disabilities in individual and policy advocacy, DHR is a critical resource for all Iowans.

## **Strategic Reorganization**

### ***Background***

Initially structured in 1987 as an umbrella agency for several small state agencies that had been previously independent, the Iowa Department of Human Rights (DHR) functioned still very much as a collection of separate agencies, sharing little more than office space, human resources, and accounting functions. By 2010, DHR had nine separate divisions, each with its own budget and administrator:

- Community Action Agencies
- Criminal and Juvenile Justice Planning
- Asian and Pacific Islanders
- Deaf Services
- Latino Affairs
- Native American Affairs
- Persons with Disabilities
- Status of African Americans
- Status of Women

The original organizational structure of the Department provided a way for small, independent programs to achieve some benefits through collaborative purchasing and allowed each Division to function autonomously, determining the best way to administer its programs and serve its constituency. However, drawbacks of the structure were significant:

- “Top heavy” with nine Governor-appointed Division Administrators and a Department Director; additional Division Administrator appointed by Director; no clear lines of authority
- Personnel, fiscal and other authority vested in some of the Department’s citizen Commissions
- Inconsistencies across Divisions and Commissions from Commission size to duties
- Individual line-item appropriations encouraged competition between Divisions; appearance that some constituencies get more resources to work with than others
- Lack of meaningful collaboration or integrated planning across the Department

In 2008, Iowa Department of Human Rights (DHR) Division Administrators and the former Department Director began to meet with the Iowa Department of Management (IDOM) and the Iowa Department of Administrative Services (DAS) to explore a process for structural reorganization for the department. Meetings continued over the next year, as the term of the Department Director came to an end, and a new director, Preston A. Daniels was appointed. A staff-led reorganization team created a plan for research and input from staff, Commissioners, stakeholder organizations, and the public.

By Fall 2009, DHR had a strategic reorganization workplan and submitted draft revision language for Iowa Code Chapter 216A to be drafted by the Legislative Services Agency. The language was ultimately included in SF2088, the omnibus government reorganization bill, with DHR’s reorganization effective upon enactment.

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Statutory reorganization reduced the number of Divisions in DHR from ten to three. The span of control for supervisors in DHR has expanded from 1:6 to 1:17.

Standardizing the sizes of Commissions has reduced the number of members by 41 across the department, saving about \$15,000 per year.

### *Restructuring and Implementation*

DHR's new mission is to ensure basic rights, freedoms, and opportunities for all by empowering under-represented Iowans and eliminating economic, social and cultural barriers.

DHR's vision is to be the results-oriented leader in creating a more inclusive and productive Iowa.

The statutory reorganization reduced the number of Divisions in DHR from ten to three. The Divisions of Community Action Agencies (DCAA, entirely federally funded) and Criminal and Juvenile Justice Planning (CJJP, primarily federally funded) remain as the two "anchor" divisions of the department, while the seven Divisions devoted to advocacy for special populations were consolidated into a new Division of Community Advocacy and Services (CAS). Rather than ten Governor-appointed positions in the Department, the Governor now appoints only the Department Director, who in turn appoints the three Division Administrators. Each of the former advocacy Divisions is now an Office within CAS, staffed by an Executive Officer. All Central Administration employees now report to the Director. The span of control for supervisors in DHR has expanded from 1:6 to 1:17.

Additionally, the governance of the Department has changed significantly. SF2088 created a Human Rights Board, made up of one Governor-appointed representative from each of nine Commissions or Councils under DHR, plus two public members. Four legislative ex officio members are also appointed, one from each chamber and each party. The Human Rights Board is charged with developing a comprehensive strategic plan for the department to remove barriers for Iowa's underrepresented populations for the betterment of the state. The Board also approves the budget and adopts Administrative Rules. Board members were appointed in compliance with Iowa's requirement for political and gender balance.

SF2088 also created consistency across the Commissions that advocate for special populations by reducing the size of most Commissions to a standard 7 members and establishing uniform duties of Commissions and Offices. Across the Department, there are now 41 fewer members serving on Commissions and Councils, reducing expenses and stipends for which Commissioners may be eligible by approximately \$15,000 per year. In transition, Commissioners submitted a letter of resignation, and the Governor reappointed a reduced number for all but two Commissions that did not change in size.



## **DHR Achievements and Challenges**

### ***Division of Community Action Agencies***

- Iowa's community action agencies used their Community Services Block Grant (CSBG) funding to serve over 131,000 families and 342,000 individuals. Services include health, education, employment, housing, child care, energy assistance, food and nutrition, emergency services, and many others.
- Iowa received an additional \$10.1 million in CSBG funding through the American Recovery and Reinvestment Act of 2009. These funds supplement the efforts of community action agencies to assist families struggling with the economic recession and job loss.
- The Family Development and Self-Sufficiency Program (FaDSS) provided services in all 99 Iowa counties to over 3,700 families, including nearly 6,700 children. Families in FaDSS earn more wages, attain education goals, improve their housing, improve the well-being of their children, access needed mental health and substance abuse treatment more often, and stay off welfare longer.
- During FY2010, FaDSS families earned wages of \$3,284,024, resulting in a FIP savings of \$1,302,359. For every dollar invested in FaDSS, \$1.06 was returned in the form of FIP savings to the state and new taxable income for families.
- The Weatherization Assistance Program weatherized 3,121 homes, including 1,176 that were completed with American Recovery and Reinvestment Act (ARRA) funding. Homes weatherized saved an average of \$324 in first-year fuel bill costs.
- The Low-Income Home Energy Assistance Program (LIHEAP) served 95,234 Iowa households with an average one-time benefit of \$600. Households eligible for LIHEAP are protected from disconnection of gas or electric service from November 1st until April 1st under Iowa's winter moratorium law.

### ***Division of Community Advocacy and Services***

- The Office of Asian and Pacific Islander Affairs led a collaborative effort to establish a Refugee Legal Clinic that assisted nearly 300 refugee immigrants apply for permanent resident status. Updateable materials and a planning process were developed to demystify the "green card" process.
- The Office on the Status of African Americans promoted replication of the disparity study completed in the Quad Cities to determine whether or not a statistically significant disparity existed between the number of minority-owned and woman-owned business enterprises that were ready, willing, and able to provide goods and services and the number that were actually providing goods and services. The study has led to an increase in minority contracting with local government.
- Office of Deaf Services increased citizen access to information and services through informational videos in American Sign Language hosted on the office website. Secure videophones were installed in each staff office to provide culturally and linguistically appropriate services to clients to speak with staff in American Sign Language rather than having to type in English via TTY. Both approaches have reduced the amount of staff travel.
- Office of Persons with Disabilities hosted the Youth Leadership Forum and the College Leadership Forum, two annual programs in partnership with

Families in FaDSS earn more wages, attain education goals, improve their housing, improve the well-being of their children, access needed mental health and substance abuse treatment more often, and stay off welfare longer.

With the department's most significant reorganization, the Division of Community and Advocacy Services focused on long-term capacity building and systems change to create better opportunities for our customers.

CJJP developed new programs for Prison Services reports that permit deeper analyses crucial to understanding trends, supporting informed prison population forecasting, and predicting recidivism rates.

the Iowa Department for the Blind and Iowa Vocational Rehabilitation Services for youth and college students to prepare for employment. The Iowa Client Assistance Program (CAP), a federally mandated and funded program to provide information, assistance, and advocacy to individuals in relation to projects, program, and services provided under the federal Rehabilitation Act handled 59 individual cases and responded to 383 requests for information and referral.

- Office of Latino Affairs coordinated the annual Iowa Youth Congress that gathers minority students from across the state to propose, debate, and vote on issues of importance. These students chose several issues they proposed to the Iowa General Assembly for passage.
- Office on the Status of Women continued its work with the Iowa Department of Education, Iowa Workforce Development, and the Iowa Department of Corrections to enhance equal opportunities for women and girls, promoting gender equity in statewide planning and program delivery in Career and Technical Education programs and in science, technology, engineering, and math.
- Office of Native American Affairs focused on long-term strategic planning as a newly established commission.

#### *Division of Criminal and Juvenile Justice Planning*

- Tested and validated a detention screening tool in three counties, with a testing of a revised instrument starting in FY2011.
- Assisted state juvenile courts in significantly reducing the use of secure detention (while maintaining public safety).
- Began the process of developing local policies to assist in reducing referrals from schools to law enforcement and the juvenile courts.
- Completed and released an evaluation of drug courts statewide, an evaluation of the Prisoner Re-entry Initiative in the Second Judicial District, and the annual Prison Population Forecast.
- Was successful in obtaining statutory establishment of the Iowa Collaboration for Youth Development (ICYD) and the State of Iowa Youth Advisory Council (SIYAC).
- Was granted two new positions to support the work of the Public Safety Advisory Board, a new entity intended to provide assistance in developing sound criminal justice policy and legislation.
- Added more than 25 agencies to the CJIS network and implemented a number of new exchanges, the most noteworthy of which was the protective order exchange, which provides notification from the courts to law enforcement (and, hence, victims) when protective orders are granted. Was notified that the CJIS project would receive a national award for innovation and excellence in criminal justice information sharing.
- Completed correctional impact statements on over 100 pieces of proposed legislation.
- Developed new programs for Prison Services reports in the Justice Data Warehouse. These new reports describe prison population, admissions and releases, which replace outdated statistical summaries that provided only totals, with no capacity for further analysis. The new reports permit analyses crucial to understanding trends and supporting informed prison population forecasting, providing the opportunity to examine sub-populations such as women, African-Americans, and sex offenders to support strategic planning. The Prison Services reports also go beyond move-



ment and population data to describe inmate participation in programs targeted at reducing recidivism, and analyzing recidivism rates -- which replaces weeks of data gathering and analysis with a set of reports that each run within minutes.

### ***Challenges: Capacity and Customer Demand***

Though statutory reorganization has greatly increased efficiency and cohesion, changing DHR's structure alone is not enough to overcome every challenge. At its essence, no matter the organizational structure, a state agency is still primarily its people. In order to continue to be successful in its reorganization, DHR must carefully manage the expectations of its staff, Commissioners and Board members, and customers in light of its diminished capacity to provide high-quality, specialized, and equitable services. DHR did not make layoffs as a result of FY10 across-the-board cuts; however, the Division of Community Advocacy and Services and its Offices in particular now provide fewer constituent services and may have longer response times in doing so due to unfilled vacancies related to budget cuts and early retirements. Available staffing decreased by half in some Offices or as much as a two-thirds reduction in one Office. The Division is increasingly reliant on AmeriCorps or VISTA volunteers for staffing. DHR as a whole has several staff that execute multiple official roles at once.

At the same time, customer demand has remained steady or increased. For better or worse, many of DHR's customers view the Department as a safe "gateway to government," requiring staff to provide individualized case work, information and referral to make sure that the customer is able to fairly access government services in a way they can understand and that is culturally appropriate. Between the economic recession and reduction of services for refugee families, DHR has seen a significant uptick in requests for constituent assistance, particularly from people who have exhausted all other options or who have major and multiple barriers to self-advocacy, such as limited English or serious mental illness. "Foot traffic" in the department remains strong with customers requesting everything from individual advocacy and problem solving with other state agencies to recovering wages from an employer to addressing bedbug infestation in the home. These needs are very difficult for DHR to meet with only one staff person who is proficient in Spanish and staff who only speak two of more than thirty Asian languages spoken by DHR customers.

Additional customer demands for educational presentations and cultural expertise remain high, and DHR is facing its own limitations in providing the same level of services that customers have come to expect. Staff are more frequently making difficult decisions regarding capacity and funding to travel and meet with community groups, provide trainings, and participate as conference presenters. Moreover, customers have strong expectations that the Offices serving them retain a high level of cultural specificity and flavor; broad uniformity and consistency may be highly regarded values in government, but they may undermine legitimacy, credibility and customer responsiveness for DHR Offices.

Last, DHR has been given significant new duties, both under the American Recovery and Reinvestment Act (ARRA) and with the creation in the 2010 General

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DHR has been given significant new duties, both under the American Recovery and Reinvestment Act (ARRA) and with the creation in the 2010 General Assembly of the Public Safety Advisory Board (PSAB).

Assembly of the Public Safety Advisory Board (PSAB). The considerable expansion of the federal Weatherization, LIHEAP, and Community Services Block Grant programs necessitates enhanced program administration, oversight, transparency, and accountability, and the federal government provided funding for additional staffing. Similarly, the increased research and analysis staffing demands to assist the PSAB in making data-driven recommendations as regards criminal code were supported with an appropriation and two FTEs. However, increased scrutiny on state agency hiring has greatly slowed down the Department's ability to fill these key funded positions.

### **DHR Workforce Changes**

Through reorganization and later the SERIP (State Employee Retirement Incentive Program), the Iowa Department of Human Rights has increased its span of control from 1:6 to 1:17. Under the previous organization of the Department, nine Divisions Administrators and the Department Director were Governor Appointees. Under reorganization, only the Department Director is a Governor Appointee. There are now three divisions with administrators who are appointed by the Department Director, and who serve in a supervisory capacity. One of the division administrators also serves as the Department's Deputy Director.

Two of the divisions have bureaus or offices that have executive officers covered by the Merit System. These positions are no longer supervisory. The executive officers serve as leads for each office/bureau. The executive officer for the Office on the Status of Women also serves as the Department's Public Information Officer and Legislative Liaison. Another executive officer is responsible for two offices: Persons with Disabilities and Native American Affairs. The Executive Officer for the Office on the Status of African Americans left at the end of this fiscal year, and the position remains vacant.

Reorganization and SERIP retirements also provided the Department with opportunities to realign needs with skills and abilities. This was done through reclassification of positions, not filling particular vacancies, and contracting out for human resource services rather than filling a position. Reorganization has also provided stability to vital programs of the Department by realigning work assignments to cross constituent needs, developing greater support for what were previously small divisions, and creating program leads that are not subject to appointment.

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The reorganization legislation established a new Human Rights Board. This board consists of representatives of each of the commissions/councils of the department, two public members, and four members of the General Assembly. This Board is charged with creating a new strategic plan for the Department.

#### **DHR Strategic and Performance Planning**

In August of 2009, a group of Department administration, staff, commissioners, and the Governor's Office Liaison met to develop a plan for reorganization. Prior to that time, the Department did not have an overarching strategic plan; each division had an individual strategic and performance plan. At the August meeting, the group created a one-year plan to develop and implement reorganization of the Department. Following that meeting, workgroups in the Department created goals and action steps to implement reorganization.

During the 2010 Legislative Session, the Department of Human Rights was reorganized in Senate File 2088. The reorganization was effective upon enactment of the bill. The bill language outlines that the Department will now have one strategic plan and an annual performance plan that coincides with the Department's budget. For the first time, a performance plan was submitted for FY11 that shows goals, services, programs, and activities, with outcome measures, for the entire department.

The reorganization legislation also established a new Human Rights Board. This board consists of representatives of each of the commissions/councils of the department, two public members, and four members of the General Assembly. This Board is charged with creating a new strategic plan for the Department.

## **2010 Legislative Summary**

The 2010 Iowa General Assembly was the first in the history of DHR in which it pursued an integrated policy agenda with a single registered legislative liaison advocating for all of the department's constituency groups. The 2010 Legislative Summary contains two sections: the Department's official Policy Agenda, and any outcomes for each item; and other major bills/issues on which the department took an affirmative interest, as well as those outcomes.

### ***DHR 2010 Policy Agenda***

#### **Strategic reorganization of the Department of Human Rights.**

Outcome: SF2088, which included the department reorganization, was passed by both Chambers and signed by the Governor. Please see detailed description in *Strategic Reorganization* section.

#### **Consumer protections for low-income customers of deliverable heating fuels.**

Outcome: DHR's Division of Community Action Agencies administers LIHEAP (Low Income Home Energy Assistance Program), and fielded several complaints from LIHEAP participants about being unable, for a variety of reasons, to locate a vendor who would serve them. DHR and several partner organizations negotiated with the Iowa Propane Gas Association (IPGA), both before the session and on several bills and amendments during the session. Ultimately, no legislation was enacted on the subject.

- DHR prefiled SSB3078, a bill to clarify rulemaking authority for the Division of Community Action Agencies regarding contracts and agreements with deliverable fuels vendors who participate in LIHEAP (Low Income Home Energy Assistance Program). Neither SSB3078 nor its House companion bill made it out of Subcommittee.
- DHR, the Iowa Attorney General's Office, and the IPGA presented to the Government Oversight Committee about issues relating to LIHEAP, deliverable fuels, and customers with poor credit or no credit.
- Members of the Legislature introduced SF2235, HF2526, SF2125, and HF2166—all bills aimed at creating a set of consumer protections for LIHEAP customers and propane vendors. SF2235 passed the Senate with bipartisan support; but a House bill was never brought to the floor.

[Note: Significant progress has been made on resolving the issue into current SFY11. With the support of Reps. Dave Heaton and Mark Smith, DHR and IPGA successfully negotiated mutually beneficial contracts, with only a few deliverable fuels vendors declining to sign new LIHEAP contracts with community action agencies. Additionally, Iowa Attorney General Tom Miller negotiated an agreement with Ferrellgas, a major vendor in the state, about consumer pricing and terms disclosure—a tangential issue that also received attention during the session.]

#### **Study and plan for action on the problem of the minority achievement gap in Iowa's education system.**

Outcome: No action taken; however, HF2432, a bill for a study on recruitment of minority teachers, was enacted. DHR supported the bill.

DHR streamlined its advocacy efforts and increased its effectiveness by adopting a unified policy agenda for the first time in its history.

The Standings bill included two items that were recommended by the Criminal Code Reorganization Committee: a revision of the composition of the CJ Council to reflect additional stakeholder interests, and the creation of a Public Safety Advisory Board.

**Update Iowa's protections of rights for persons with disabilities.**

Outcome: DHR promoted SF2202, a bill that removed archaic language related to persons with disabilities and inconsistencies with the Americans with Disabilities Act from Iowa Code, primarily from Chapter 216C. The bill passed unanimously, and was signed into law.

**Require employers to provide a reasonable accommodation for employees who breastfeed to express milk during their regular unpaid break times.**

Outcome: DHR promoted SF2270, an act relating to workplace accommodations for employees who express breast milk. The bill passed the Senate, but did not pass the House. [A similar version of the legislation was included in the federal Affordable Care Act, which has since been interpreted by the U.S. Department of Labor to apply to all employers, with those having more than 50 employees being ineligible to apply for an undue hardship waiver.]

**Adopt a Deaf and Hard of Hearing Children's Bill of Rights.**

Outcome: DHR promoted SF2342, an act providing for a deaf and hard-of-hearing children's educational bill of rights. The bill was introduced after the first funnel, and no action was taken.

**Study the concept of creating a state Paid Leave Insurance program.**

Outcome: No action was taken.

*Other Legislation of Interest*

**Composition of the CJJP Council and creation of Public Safety Advisory Board.**

The Standings bill included two items that were recommended by the Criminal Code Reorganization Committee: a revision of the composition of the CJ Council to reflect additional stakeholder interests, and the creation of a Public Safety Advisory Board. The mission of this Board is to provide research, evaluation, and data relative to current and proposed criminal code provisions to the General Assembly in order to improve the criminal justice system in Iowa in terms of public safety, improved outcomes, and appropriate use of public resources. The existing CJ Council has agreed to take on the duties of the PSAB, in order to reduce the need for additional Board members and expenses. An appropriation of \$140,000 and 2.0 FTEs were allocated to the Department for additional research staff.

**Unemployment Insurance for Military Spouses.**

The 2010 General Assembly passed all ten of the U.S. Department of Defense's recommendations for state policy for veterans, including HF2110, which provided unemployment insurance benefits to eligible spouses of military service members who are forced to leave a job due to a deployment or reassignment of the service member. DHR supported the bill.

**Firearms prohibition for domestic abusers.**

SF2357, a bill to bring Iowa law into conformity with federal law that prohibits those convicted of a domestic abuse crime or subject to a permanent protective order from possessing, selling, or transferring firearms, ammunition, or other offensive weapons, was prefiled by the Iowa Attorney General's Office. A longtime priority for the Iowa Commission on the Status of Women, the bill was passed with bipartisan support and signed into law.



## **Division Descriptions**

### *Division of Community Action Agencies (DCAA)*

The Division of Community Action Agencies (DCAA) administers federal and state programs through a network of local community action agencies and other community organizations to assist families and individuals living in poverty to achieve economic and social self-sufficiency. The figures below reflect the latest Federal Fiscal Year (FFY) performance.

The Division administers the following programs:

#### **Community Services Block Grant program (CSBG)**

The Community Services Block Grant is funded by the U.S. Department of Health and Human Services. These federal funds are distributed to Iowa's 18 community action agencies, which create, coordinate, and deliver a variety of programs and services to low-income Iowans to combat the causes of poverty in their communities.

In FFY 2009, Iowa's regular CSBG program funding was over \$7.5 million. Iowa's community action agencies used their CSBG funding to serve over 131,000 families and 342,000 individuals. Services include health, education, employment, housing, child care, energy assistance, food and nutrition, emergency services, and many others.

Iowa received an additional \$10.1 million in CSBG funding through the American Recovery and Reinvestment Act of 2009. These funds supplement the efforts of community action agencies to assist families struggling with the economic recession and job loss.

#### **Family Development and Self-Sufficiency grant program (FaDSS)**

In partnership with the Iowa Department of Human Services, the FaDSS program provides comprehensive in-home services to at-risk families through certified Family Development Specialists to assist families in developing and implementing strategies for self-sufficiency.

In FY 2009, FaDSS was funded through an appropriation of \$5,563,042 in federal and state funds. FaDSS provided services in all 99 Iowa counties to over 3,700 families, including nearly 6,700 children. Families in FaDSS earn more wages, attain education goals, improve their housing, improve the well-being of their children, access needed mental health and substance abuse treatment more often, and stay off welfare longer.

During FFY2009, FaDSS families earned wages of \$4,986,881, resulting in a FIP savings of \$1,329,398. For every dollar invested in FaDSS, \$1.14 was returned in the form of wages and FIP savings.

#### **Weatherization Assistance Program (WAP)**

The U.S. Department of Energy funds the Division's Weatherization Assistance Program (WAP), the nation's largest residential energy efficiency program. The program reduces energy costs for low-income persons, particularly the elderly, disabled, and families with children, by improving the energy efficiency of their homes and ensuring their health and safety.

In PY 2009, 3,121 homes were weatherized, including 1,176 that were com-

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In PY2009, 3,121 homes were weatherized by Iowa's community action agencies, saving an average of \$324 per home in first-year fuel costs.

95,234 low-income Iowa households were helped by the federal Low-Income Home Energy Assistance Program last year.

As of June 30, 2010, 151 savers had enrolled in the asset-building IDA program, working toward goals like funds for education, starting a small business, or purchasing a home.

pleted with American Recovery and Reinvestment Act (ARRA) funding. Homes weatherized in CY 2009 saved an average of \$324 in first-year fuel bill costs.

The program is funded by \$9.3 million from the U.S. Department of Energy, \$10.1 million from LIHEAP and \$4.8 million from investor-owned utility companies. The program also received \$80 million in funding through the ARRA economic stimulus bill passed by Congress in FFY 2009. The ARRA funding is being used to hire, train, and equip additional home weatherization staff and contractors throughout the state, and perform comprehensive weatherization services for over 7,200 homes.

#### **Low-Income Home Energy Assistance Program (LIHEAP)**

The federally funded Low-Income Home Energy Assistance Program (LIHEAP) is designed to assist qualifying low-income households in the payment of a portion of their winter heating costs, and to encourage energy conservation through client education and weatherization.

The program was funded with \$76.9 million in federal funds in FFY09. The program served 95,234 Iowa households with an average one-time benefit of \$600. Households eligible for LIHEAP are protected from disconnection of gas or electric service from November 1st until April 1st under Iowa's winter moratorium law.

LIHEAP activities also include client energy conservation education, referral to outside services, family needs assessment, budget counseling, vendor negotiation, and low-cost energy efficiency measures. An emergency component provides immediate assistance to alleviate life-threatening situations, and may include repair or replacement of a furnace or heating system, temporary shelter, purchase of blankets and/or heaters, emergency fuel deliveries, and other purposes.

#### **Individual Development Accounts (IDA) program**

The IDA program was established in 2009 to encourage low-income working Iowans to establish savings accounts for long-term asset development that lead to family self-sufficiency. Participants can qualify for up to \$2,000 in state matching funds to pay for higher education or job training costs, purchase a home, start a small business, or pay for emergency medical costs, an automobile, or assistive technology for a family member with a disability. Savers also participate in financial education courses and asset-specific education.

As of June 30, 2010, there were 151 savers enrolled in an IDA, with 93 active savers making deposits. Eleven savers have purchased an asset. All available funds for the regular IDAs are now committed, and there is a waiting list of eligible participants pending available matching funds.

#### *Division of Community Advocacy and Services (CAS)*

The Division of Community Advocacy and Services is a newly created division under reorganization of the Department of Human Rights to support and streamline service to several different customer bases. The change has combined administrative functions with all of the population-specific offices in this new division. Iowans are receiving the same or a better level of culturally re-

sponsive services with this restructuring. The Division of Community Advocacy and Services helps the State of Iowa to fulfill its commitment to diversity with a high level of efficiency and effectiveness.

The Division of Community Advocacy and Services houses seven offices that work together to study issues affecting Iowans with a history of being marginalized. Each office administers programs and advocates for policies that support greater success for its customer populations. In addition, each office is responsible for collecting and analyzing data about customer populations. This data assists in determining programming and helps to expand culturally affirmative services throughout state government.

Daily advocacy efforts on behalf of customers assists them to navigate federal, state and local resources for maximum participation in and benefit to Iowa's economic, social, and cultural opportunities. Whether helping persons access interpreting services so they can receive health care, educating Iowans in the private sector about the value of employing persons with disabilities, or promoting laws and policies to eliminate discrimination and create equity, CAS staff offer individualized and responsive services that build a bridge between underserved and underrepresented Iowans and government.

For more specific information on activities of the Offices, see the section titled, Department Achievements and Challenges.

#### *Division of Criminal and Juvenile Justice Planning*

The location of the Division of Criminal and Juvenile Justice Planning (CJJP) in the Department of Human Rights ensures its independence from operational agencies in conducting research, planning, data coordination, and information clearinghouse functions.

The Administrator of CJJP reports administratively to the Director of the Department of Human Rights, but on policy issues is also responsible to two statutory councils, the Criminal and Juvenile Justice Planning Advisory Council and the Juvenile Justice Advisory Council. To facilitate CJJP's receiving otherwise confidential data from state and local agencies, specific statutory language exists to ensure CJJP access to relevant justice system information. This access has given CJJP a unique capability to provide data and information system-related assistance across agencies and to study and report on Iowa's multi-faceted justice system from a neutral, objective position in state government.

CJJP also provides staff support to three other entities. Recent legislation established the Public Safety Advisory Board to provide assistance to the legislative, executive, and judicial branches in developing sound criminal justice policy and legislation. The Sex Offender Research Council provides input to the executive and legislative branches on matters relating to sex offenses and offenders. Finally, the CJIS Advisory Board provides guidance to the Division's CJIS project (discussed below).

**Current Staffing:** The CJJP staff currently consists of seventeen full-time staff; one additional full-time staff has chosen to work part-time. Staff include executive officers, information technology specialists, justice system analysts,

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CJJP manages the Justice Data Warehouse (JDW), which permits analysis of justice system activity and the preparation of Legislative Impact Statements on proposed justice system legislation.

juvenile justice program planners, statistical research analysts, an accountant, and one secretary. In FY10, about 73% of CJJP staff salaries and benefits were provided by State funds.

**Activities (CJJP activities fall into three general areas)**

*Justice system research and analysis, including:*

- Management of the Justice Data Warehouse (JDW), which permits analysis of justice system activity and the preparation of Legislative Impact Statements on proposed justice system legislation.
- District Court disposition and sentencing data collection and reporting.
- Statutory development and revision of multi-year criminal and juvenile justice plans.
- The provision of staff support for the Public Safety Advisory Board and Sex Offender Research Council.
- Research into parole practices and recidivism of offenders released from prison
- Research on correctional trends and developments and changing sentencing policies, such research to include the upgrading and application of prison population projection protocols.
- The development and support of a World Wide Web page to support CJJP's technical assistance and information dissemination functions.
- Research and data analysis support to the Iowa Governor's Office of Drug Control Policy (ODCP) in its role as the agency responsible for administering both the Violent Crime Control and Law Enforcement Act of 1994 and the Violence Against Women Act federal grant programs in Iowa (through contracts with ODCP, CJJP continues to evaluate selected grant-funded projects and collect and report state-level system planning data).
- Provision of various types of assistance to the Iowa Department of Public Safety (DPS) in its efforts to improve Iowa's automated computerized criminal history records through its role as the state's administrator of NCHIP funds.
- Provision of a clearinghouse for justice system information (special reports, ongoing responses to requests from other units of government and the general public, etc.).

*Juvenile justice research, program analysis, and fund pass-through:*

- The provision of staff support to the Implementation Committee overseeing achievement of the recommendations of the Governor's Task Force on Youth Race and Detention, an effort to reduce racial disparity in Iowa's juvenile detention facilities;
- Development and testing of juvenile justice program monitoring and outcome measurement protocols, including the provision of assistance to system officials as they implement risk assessment tools and outcome identification and tracking procedures.
- Provision of staff support to Iowa's State Advisory Group established pursuant to the federal JJDP Act, and the administration of the federal juvenile justice formula grant available to states through this federal act.
- Providing monitoring activities in support of the federal JJDP Act.
- Coordination of the Annie E. Casey Foundation Juvenile Detention Alternative Initiative (JDAI) in Iowa.
- Providing staff support for the Iowa Collaboration for Youth Development (ICYD) and the State Youth Advisory Council (SIYAC).

*Criminal Justice Information System (CJIS):*

CJIS is a statewide integrated criminal justice information system that has enabled automated sharing of information in a common format between State, local, and federal criminal justice agencies, including the Departments of Corrections, Human Rights, Transportation, Public Safety, and Natural Resources, the Judicial Branch, the Attorney General's Office, County Attorneys, Sheriffs' Offices, and local law enforcement. CJIS will eventually link electronically all the justice system agencies in Iowa, speeding the flow and accuracy of information, eliminating duplicate data entry, and increasing system efficiency. At this writing, approximately 90 justice system agencies are participating in information exchanges, and over 350,000 citations are processed through CJIS annually. In addition, some exchanges (e.g., victim notification of protective orders) are operational statewide.

The benefits of the CJIS include the elimination of information errors and redundant data entry. This provides for more complete, accurate, and real-time data to members of the criminal justice community, including improved decision-making, operational efficiency, and an enhanced ability to evaluate the effectiveness of programs. In addition, all agencies that receive data electronically will realize a savings in staff time by not having to reenter information.

CJIS provides more complete, accurate, and real-time data to members of the criminal justice community; it will eventually link electronically all the justice system agencies in Iowa.

# DHR SFY2010 Expenditures

## Division of Community Action Agencies (DCAA)

	Federal	State	Other
Weatherization-Dept of Energy	1,993,965		
Weatherization-Stimulus -Dept of Energy	21,667,779		
Black Hills Weatherization			752,936
Interstate Power and Light Weatherization			1,268,806
Mid American Weatherization			2,477,369
Interstate Power Weatherization			1,781,684
LIHEAP	69,545,970		
HEAP Weatherization Block Grant (Administration and Pass Thru)	7,279,853		
Community Services	7,253,063		
Community Services Stimulus	8,169,016		
FADSS	2,550,843	2,354,624	
IDA Accounts		33,286	
	118,460,489	2,387,910	6,280,795

## Criminal and Juvenile Justice Planning (CJJP)

	Federal	State	Other
Criminal and Juvenile Justice Planning		1,154,547	166,348
Justice Delinquency Prevention-JAIBG	532,590		
National Crime Prevention Council (NCPC)			1,065
Juvenile Court Train and Tech			476
Family Drug Court	15,943		
Prisoner Reentry - Rural Initiative	8,192		
Rural Homeless Youth-DHS	107,003		
APA Dropout Summit '08			1,162
COPS Evaluation - Marion County	20,825		
PSN Supplemental	3,705		
Criminal History Audit	21,144		
Communities Empowering Youth	16,995		
Life or Meth Evaluation	9,501		
NCHIP-Felony Case Processing	40,000		
Youth Development	35,386		
Violence against Women (CJIS)	150,819		
NCHIP-Felony Case Processing	43,613		
2nd Jud District PRI SFY 2010	9,407	943	
SAC	37,055		
Juvenile Detention Alternative (JDAI)			61,316
Enforcing under age Drinking Laws (EUDL)	280,559		
Title V	86,867		
Gender Task Force	92,844		



**Criminal and Juvenile Justice Planning** *Continued*

	<b>Federal</b>	<b>State</b>	<b>Other</b>
Juvenile Justice Formula Grants	464,725		
Forum Youth Investment-Quality Counts			60,485
Infrastructure/Integrating Justice Data		1,581,953	
Totals	1,977,173	2,737,443	290,852

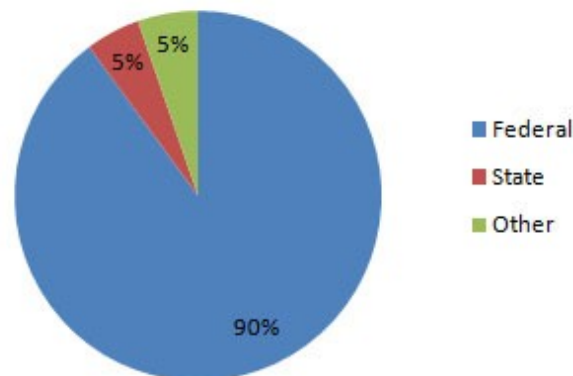
**Division of Community Advocacy and Services (CAS)**

	<b>Federal</b>	<b>State</b>	<b>Other</b>
Division of Native Americans		5,817	
Division of Asian and Pacific Islanders		129,276	
Division of Deaf Services		377,423	
Division of Persons with Disabilities	185,756	125,439	16,833
Division of Latino Affairs		90,266	
Division on Status of Women		218,669	4,283
Division on Status of African Americans		168,247	
Direct Caregivers survey			1,049
Client Assistance Program	130,368		
Totals	316,124	1,115,137	22,165

**Central Administration**

	<b>Federal</b>	<b>State</b>	<b>Other</b>
Central Administration		344,689	355,192
Abraham Lincoln Bicentennial Commission	13,261		
Totals	13,261	344,689	355,192

<b>Grand Totals</b>	<b>120,767,047</b>	<b>6,585,179</b>	<b>6,949,004</b>
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**DHR Expenditures by Source**

## APPENDIX

### Senate File 2088

#### AN ACT

CONCERNING STATE GOVERNMENT REORGANIZATION AND EFFICIENCY, MAKING APPROPRIATIONS, ESTABLISHING FEES AND PENALTIES, AND PROVIDING EFFECTIVE AND APPLICABILITY PROVISIONS.  
BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

#### DIVISION XIV

#### DEPARTMENT OF HUMAN RIGHTS == REORGANIZATION

Sec. 101. Section 216A.1, Code 2009, is amended to read as follows:

216A.1 Department of human rights == purpose.

1. A department of human rights is created, with the following divisions and offices:

a. Division of community advocacy and services, with the following offices:

1. (1) Division Office of Latino affairs.
2. (2) Division Office on the status of women.
3. (3) Division Office of persons with disabilities.
4. Division of community action agencies.
5. (4) Division Office of deaf services.
6. Division of criminal and juvenile justice planning.
7. (5) Division Office on the status of African-Americans African Americans.
8. (6) Division on the status of Iowans Office of Asian and Pacific Islander heritage affairs.
9. (7) Division on Office of Native American affairs.

b. Division of community action agencies.

c. Division of criminal and juvenile justice planning.

2. The purpose of the department is to ensure basic rights, freedoms, and opportunities for all by empowering underrepresented Iowans and eliminating economic, social, and cultural barriers.

Sec. 102. Section 216A.2, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.2 Appointment of department director, deputy director, and administrators == duties.

1. The governor shall appoint a director of the department of human rights, subject to confirmation by the senate pursuant to section 2.32. The department director shall serve at the pleasure of the governor and is exempt from the merit system provisions of chapter 8A, subchapter IV. The governor shall set the salary of the department director within the ranges set by the general assembly.

2. The director is the chief administrative officer of the department and in that capacity administers the programs and services of the department in compliance with applicable federal and state laws and regulations. The duties of the director include preparing a budget, establishing an internal administrative structure, and employing personnel.

3. The department director shall appoint the administrators of the divisions within the department and all other personnel deemed necessary for the administration of this chapter. The department director shall establish the duties of the administrators of the divisions within the department.

4. The department director shall do all of the following:

a. Manage the internal operations of the department and establish guidelines and procedures to promote the orderly and efficient administration of the department.

b. Prepare a budget for the department, subject to the budget requirements pursuant to chapter 8, for approval by the board.

c. Coordinate and supervise personnel services and shared administrative support services to assure maximum support and assistance to the divisions.

d. Serve as an ex officio member of all commissions or councils within the department.

e. Serve as an ex officio, nonvoting member of the human rights board.

f. Solicit and accept gifts and grants on behalf of the department and each commission or council and administer such gifts and grants in accordance with the terms thereof.

g. Enter into contracts with public and private individuals and entities to conduct the business and achieve the objectives of the department and each commission or council.

h. Issue an annual report to the governor and general assembly no later than November 1 of each year concerning the operations of the department. However, the division of criminal and juvenile justice planning and the division of community action agencies shall submit annual reports as specified in this chapter.

i. Seek to implement the comprehensive strategic plan approved by the board under section 216A.3.

Sec. 103. Section 216A.3, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.3 Human rights board.

1. A human rights board is created within the department of human rights.

2. The board shall consist of fourteen members, including nine voting members and five nonvoting members and determined as follows:

a. The voting members shall consist of nine voting members selected by each of the permanent commissions within the department, and two voting members, appointed by the governor.

For purposes of this paragraph "a", "permanent commissions" means the commission of Latino affairs, commission on the status of women, commission of persons with disabilities, commission on community action agencies, commission

of deaf services, criminal and juvenile justice planning advisory council, commission on the status of African Americans, commission of Asian and Pacific Islander affairs, and commission of Native American affairs. The term of office for voting members is four years.

b. The nonvoting members shall consist of the department director, two state representatives, one appointed by the speaker of the house of representatives and one by the minority leader of the house of representatives, and two state senators, one appointed by the majority leader of the senate and one by the minority leader of the senate.

3. A majority of the members of the board shall constitute a quorum, and the affirmative vote of two-thirds of the voting members is necessary for any substantive action taken by the board. The board shall select a chairperson from the voting members of the board. The board shall meet not less than four times a year.

4. The board shall have the following duties:

a. Develop and monitor implementation of a comprehensive strategic plan to remove barriers for underrepresented populations and, in doing so, to increase Iowa's productivity and inclusivity, including performance measures and benchmarks.

b. Approve, disapprove, amend, or modify the budget recommended by the department director for the operation of the department, subject to the budget requirements pursuant to chapter 8.

c. Adopt administrative rules pursuant to chapter 17A, upon the recommendation of the department director, for the operation of the department.

d. By November 1 of each year, approve the department report to the general assembly and the governor that covers activities during the preceding fiscal year.

Sec. 104. Section 216A.4, Code 2009, is amended by adding the following new subsections:

NEW SUBSECTION. 0A. "Board" means human rights board.

NEW SUBSECTION. 3. "Underrepresented" means the historical marginalization of populations or groups in the United States and Iowa, including but not limited to African Americans, Asian and Pacific Islanders, persons who are deaf or hard of hearing, persons with disabilities, Latinos, Native Americans, women, persons who have low socioeconomic status, at-risk youth, and adults or juveniles with a criminal history.

Sec. 105. NEW SECTION. 216A.7 Access to information.

Upon request of the director or a commission, council, or administrator of a division of the department, all boards, agencies, departments, and offices of the state shall make available nonconfidential information, records, data, and statistics which are relevant to the populations served by the offices, councils, and commissions of the department.

Sec. 106. Section 216A.11, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 107. Section 216A.11, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division office of Latino affairs of the department of human rights.

Sec. 108. Section 216A.12, Code Supplement 2009, is amended to read as follows:

216A.12 Commission of Latino affairs == terms == compensation established.

1. The commission of Latino affairs consists of nine ~~seven~~ members, appointed by the governor, and subject to confirmation by the senate pursuant to section 2.32. Commission members shall be appointed in compliance with sections 69.16 and 69.16A and with consideration given to geographic residence and density of Latino population represented by each member. Commission members shall reside in the state.

2. The members of the commission shall be appointed during the month of June and shall serve for ~~four~~ staggered four-year terms of two years commencing July 1 of each odd-numbered ~~the year of appointment~~. Members appointed shall continue to serve until their respective successors are appointed. Vacancies in the membership of the commission shall be filled by the original appointing authority and in the manner of the original appointments. Members shall receive actual expenses incurred while serving in their official capacity. Members may also be eligible to receive compensation as provided in section 7E.6.

3. The commission shall select from its membership a chairperson and other officers as it deems necessary and shall meet at least quarterly each fiscal year. A majority of the members currently appointed to the commission shall constitute a quorum and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 109. Section 216A.13, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.13 Commission of Latino affairs == duties.

The commission shall have the following duties:

1. Study the opportunities for and changing needs of the Latino population of this state.

2. Serve as liaison between the department of human rights and the public, sharing information and gathering constituency input.

3. Recommend to the board the adoption of rules pursuant to chapter 17A as it deems necessary.

4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 110. Section 216A.14, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.14 Office of Latino affairs == duties.

The office of Latino affairs is established and shall do the following:

1. Serve as the central permanent agency to advocate for Latino persons.

2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of Latino persons in participating fully in the economic, social, and cultural life of the state, and by providing direct assistance to those who request it.

3. Develop, coordinate, and assist other public organizations which serve Latino persons.
4. Serve as an information clearinghouse on programs and agencies operating to assist Latino persons.

Sec. 111. Section 216A.15, subsections 1 through 9, Code 2009, are amended by striking the subsections and inserting in lieu thereof the following:

1. Study the opportunities for and changing needs of the Latino population of this state.
2. Serve as liaison between the office and the public, sharing information and gathering constituency input.
3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.

4. Recommend to the department director policies and programs for the office.
5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 112. Section 216A.51, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 113. Section 216A.51, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division office on the status of women of the department of human rights.

Sec. 114. Section 216A.52, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.52 Office on the status of women.

The office on the status of women is established, and shall do the following:

1. Serve as the central permanent agency to advocate for women and girls.
2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of women and girls in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.

3. Serve as a clearinghouse on programs and agencies operating to assist women and girls.

4. Develop, coordinate, and assist other public or private organizations which serve women and girls.

Sec. 115. Section 216A.53, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.53 Commission on the status of women established.

1. The commission on the status of women is established and shall consist of seven voting members who shall be appointed by the governor, subject to confirmation by the senate pursuant to section 2.32, and shall represent a cross section of the citizens of the state. All members shall reside in the state.

2. The term of office for voting members is four years. Terms shall be staggered. Members whose terms expire may be reappointed. Vacancies in voting membership positions on the commission shall be filled for the unexpired term in the same manner as the original appointment. Voting members of the commission may receive a per diem as specified in section 7E.6 and shall be reimbursed for actual expenses incurred while serving in their official capacity, subject to statutory limits.

3. Members of the commission shall appoint a chairperson and vice chairperson and any other officers as the commission deems necessary. The commission shall meet at least quarterly during each fiscal year. A majority of the voting members currently appointed to the commission shall constitute a quorum. A quorum of the members shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed voting members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 116. Section 216A.54, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.54 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the opportunities for and changing needs of the women and girls of this state.
2. Serve as liaison between the office and the public, sharing information and gathering constituency input.
3. Recommend to the board the adoption of rules pursuant to chapter 17A as it deems necessary for the commission and office.

4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 117. Section 216A.71, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 118. Section 216A.71, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division office of persons with disabilities of the department of human rights.

Sec. 119. Section 216A.72, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.72 Office of persons with disabilities.

The office of persons with disabilities is established, and shall do all of the following:

1. Serve as the central permanent agency to advocate for persons with disabilities.
2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of persons with disabilities in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.

3. Develop, coordinate, and assist other public or private organizations which serve persons with disabilities.

4. Serve as an information clearinghouse on programs and agencies operating to assist persons with disabilities.

Sec. 120. Section 216A.74, Code Supplement 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.74 Commission of persons with disabilities established.

1. The commission of persons with disabilities is established and shall consist of seven voting members appointed by the governor subject to confirmation by the senate pursuant to section 2.32. A majority of the commission shall be

persons with disabilities. All members shall reside in the state.

2. Members of the commission shall serve four-year staggered terms which shall begin and end pursuant to section 69.19. Members whose terms expire may be reappointed. Vacancies on the commission shall be filled for the unexpired term in the same manner as the original appointment. Voting members shall receive actual expenses incurred while serving in their official capacity, subject to statutory limits. Voting members may also be eligible to receive compensation as provided in section 7E.6.

3. Members of the commission shall appoint a chairperson. The commission shall meet at least quarterly during each fiscal year. A majority of the voting members currently appointed to the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed voting members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 121. Section 216A.75, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.75 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the opportunities for and changing needs of persons with disabilities in this state.
2. Serve as liaisons between the office and the public, sharing information and gathering constituency input.
3. Recommend to the board the adoption of rules pursuant to chapter 17A as it deems necessary for the commission and office.
4. Recommend legislative and executive action to the governor and general assembly.
5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 122. Section 216A.92, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.92 Division of community action agencies.

1. The division of community action agencies is established. The purpose of the division of community action agencies is to strengthen, supplement, and coordinate efforts to develop the full potential of each citizen by recognizing certain community action agencies and supporting certain community-based programs delivered by community action agencies.

2. The division shall do all of the following:

- a. Provide financial assistance for community action agencies to implement community action programs, as permitted by the community service block grant and subject to the funding made available for the program.
- b. Administer the community services block grant, the low-income energy assistance block grants, department of energy funds for weatherization, and other possible funding sources. If a political subdivision is the community action agency, the financial assistance shall be allocated to the political subdivision.
- c. Implement accountability measures for its programs and require regular reporting on the measures by the community action agencies.
- d. Issue an annual report to the governor and general assembly by July 1 of each year.

Sec. 123. Section 216A.92A, subsection 1, paragraph c, Code 2009, is amended to read as follows:

c. One-third of the members shall be persons who, according to federal guidelines, have incomes at or below one hundred eighty-five percent of poverty level.

Sec. 124. Section 216A.92A, subsection 3, Code 2009, is amended to read as follows:

3. The commission shall select from its membership a chairperson and other officers as it deems necessary. The commission shall meet no less than four times per year. A majority of the members of the commission shall constitute a quorum.

Sec. 125. Section 216A.92B, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.92B Commission powers and duties.

The commission shall have the following powers and duties:

1. Recommend to the board the adoption of rules pursuant to chapter 17A as it deems necessary for the commission and division.
2. Supervise the collection of data regarding the scope of services provided by the community action agencies.
3. Serve as liaisons between the division and the public, sharing information and gathering constituency input.
4. Make recommendations to the governor and the general assembly for executive and legislative action designed to improve the status of low-income persons in the state.
5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 126. Section 216A.93, Code 2009, is amended to read as follows:

216A.93 Establishment of community action agencies.

The division shall recognize and assist in the designation of certain community action agencies to assist in the delivery of community action programs. These programs shall include, but not be limited to, outreach, community services block grant, low-income energy assistance, and weatherization programs. If a community action agency is in effect and currently serving an area, that community action agency shall become the designated community action agency for that area. If there is not a designated community action agency in the area a city council or county board of supervisors or any combination of one or more councils or boards may establish a community action agency and may apply to the division for recognition. The council or board or the combination may adopt an ordinance or resolution establishing a community action agency if a community action agency has not been designated. It is the purpose of the division of community action agencies to strengthen, supplement, and coordinate efforts to develop the full potential

of each citizen by recognizing certain community action agencies and the continuation of certain community-based programs delivered by community action agencies. If any geographic area of the state ceases to be served by a designated community action agency, the division may solicit applications and assist the governor in designating a community action agency for that area in accordance with current community services block grant requirements.

Sec. 127. Section 216A.94, subsection 2, Code 2009, is amended to read as follows:

2. Notwithstanding subsection 1, a public agency shall establish an advisory board or may contract with a delegate agency to assist the governing board in meeting the requirements of section 216A.95. The advisory board or delegate agency board shall be composed of the same type of membership as a board of directors for community action agencies under subsection 1. However, the public agency acting as In addition, the advisory board of the community action agency shall have the sole authority to determine annual program budget requests.

Sec. 128. Section 216A.95, subsection 1, Code 2009, is amended by striking the subsection and inserting in lieu thereof the following:

1. The governing board or advisory board shall fully participate in the development, planning, implementation, and evaluation of programs to serve low-income communities.

Sec. 129. Section 216A.96, subsection 1, Code 2009, is amended by striking the subsection and inserting in lieu thereof the following:

1. Plan and implement strategies to alleviate the conditions of poverty and encourage self-sufficiency for citizens in its service area and in Iowa. In doing so, an agency shall plan for a community action program by establishing priorities among projects, activities, and areas to provide for the most efficient use of possible resources.

Sec. 130. Section 216A.96, subsection 4, Code 2009, is amended to read as follows:

4. Encourage and support self-help, volunteer, business, labor, and other groups and organizations to assist public officials and agencies in supporting a community action program which results in the additional use of by providing private resources while, developing new employment opportunities, encouraging investments which have an impact on reducing poverty among the poor in areas of concentrated poverty, and providing methods by which low-income persons can work with private organizations, businesses, and institutions in seeking solutions to problems of common concern.

Sec. 131. Section 216A.97, Code 2009, is amended to read as follows:

216A.97 Administration.

A community action agency or a delegate agency may administer the components of a community action program when the program is consistent with plans and purposes and applicable law. The community action programs may be projects which are eligible for assistance from any source. The programs shall be developed to meet local needs and may be designed to meet eligibility standards of a federal or state program providing assistance to a plan to meet local needs.

Sec. 132. Section 216A.98, Code 2009, is amended to read as follows:

216A.98 Audit.

Each community action agency shall be audited annually but shall not be required to obtain a duplicate audit to meet the requirements of this section. In lieu of an audit by the auditor of state, the community action agency may contract with or employ a certified public accountant to conduct the audit, pursuant to the applicable terms and conditions prescribed by sections 11.6 and 11.19 and an audit format prescribed by the auditor of state. Copies of each audit shall be furnished to the division within three months following the annual audit in a manner prescribed by the division.

Sec. 133. Section 216A.102, subsection 3, Code 2009, is amended to read as follows:

3. Under rules developed by the division of community action agencies of the department of human rights and adopted by the board, the fund may be used to negotiate reconnection of essential utility services with the energy provider.

Sec. 134. Section 216A.104, subsections 4 and 5, Code 2009, are amended by striking the subsections.

Sec. 135. Section 216A.107, subsection 2, Code Supplement 2009, is amended to read as follows:

2. Unless otherwise provided by law, terms of members, election of officers, and other procedural matters shall be as determined by the council. A quorum shall be required for the conduct of business of the council and the affirmative vote of a majority of the currently appointed voting members is necessary for any substantive action taken by the council. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 136. Section 216A.111, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 137. Section 216A.111, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division office of deaf services of the department of human rights.

Sec. 138. Section 216A.112, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.112 Office of deaf services.

The office of deaf services is established, and shall do all of the following:

1. Serve as the central permanent agency to advocate for persons who are deaf or hard of hearing.
2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of persons who are deaf or hard of hearing in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.
3. Develop, coordinate, and assist other public or private organizations which serve persons who are deaf or hard of hearing.
4. Serve as an information clearinghouse on programs and agencies operating to assist persons who are deaf or hard of hearing.



Sec. 139. Section 216A.113, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.113 Deaf services commission established.

1. The commission on the deaf is established, and shall consist of seven voting members appointed by the governor, subject to confirmation by the senate pursuant to section 2.32. Membership of the commission shall include at least four members who are deaf and who cannot hear human speech with or without use of amplification and at least one member who is hard of hearing. All members shall reside in Iowa.

2. Members of the commission shall serve four-year staggered terms which shall begin and end pursuant to section 69.19. Members whose terms expire may be reappointed. Vacancies on the commission may be filled for the remainder of the term in the same manner as the original appointment. Members shall receive actual expenses incurred while serving in their official capacity, subject to statutory limits. Members may also be eligible to receive compensation as provided in section 7E.6.

3. Members of the commission shall appoint a chairperson and vice chairperson and other officers as the commission deems necessary. The commission shall meet at least quarterly during each fiscal year. A majority of the members currently appointed to the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 140. Section 216A.114, Code 2009, is amended by striking the section and inserting in lieu thereof the following:  
216A.114 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the changing needs and opportunities for the deaf and hard-of-hearing people in this state.  
2. Serve as a liaison between the office and the public, sharing information and gathering constituency input.  
3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.

4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 141. NEW SECTION. 216A.131A Division of criminal and juvenile justice planning.

The division of criminal and juvenile justice planning is established to fulfill the responsibilities of this subchapter, including the duties specified in sections 216A.135, 216A.136, 216A.137, 216A.138, and 216A.139.

Sec. 142. Section 216A.132, subsection 1, unnumbered paragraph 1, Code 2009, is amended to read as follows:

A criminal and juvenile justice planning advisory council is established consisting of twenty-three members who shall all reside in the state.

Sec. 143. Section 216A.132, subsection 1, paragraph b, Code 2009, is amended to read as follows:

b. The departments of human services, corrections, and public safety, the division office on the status of African-Americans African Americans, the Iowa department of public health, the chairperson of the board of parole, the attorney general, the state public defender, the governor's office of drug control policy, and the chief justice of the supreme court shall each designate a person to serve on the council. The person appointed by the Iowa department of public health shall be from the departmental staff who administer the comprehensive substance abuse program under chapter 125.

Sec. 144. Section 216A.132, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Members of the council shall appoint a chairperson and vice chairperson and other officers as the council deems necessary. A majority of the voting members currently appointed to the council shall constitute a quorum. A quorum shall be required for the conduct of business of the council and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the council. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 145. Section 216A.133, subsection 5, Code 2009, is amended to read as follows:

5. Administer federal funds and funds appropriated by the state or that are otherwise available in compliance with applicable laws, regulations, and other requirements for purposes of study, research, investigation, planning, and implementation in the areas of criminal and juvenile justice.

Sec. 146. Section 216A.133, Code 2009, is amended by adding the following new subsections:

NEW SUBSECTION. 8. Provide input to the department director in the development of budget recommendations for the division.

NEW SUBSECTION. 9. Serve as liaison between the division and the public, sharing information and gathering constituency input.

NEW SUBSECTION. 10. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the council and division.

NEW SUBSECTION. 11. Recommend legislative and executive action to the governor and general assembly.

NEW SUBSECTION. 12. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 147. Section 216A.138, subsection 8, Code 2009, is amended by striking the subsection.

Sec. 148. Section 216A.141, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 149. Section 216A.141, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division office on the status of African-Americans African Americans of the department of human rights.

Sec. 150. Section 216A.142, Code 2009, is amended by striking the section and inserting in lieu thereof the

following:

216A.142 Commission on the status of African Americans established.

1. The commission on the status of African Americans is established and shall consist of seven members appointed by the governor, subject to confirmation by the senate. All members shall reside in Iowa. At least five members shall be individuals who are African American.

2. Terms of office are staggered four-year terms. Members whose terms expire may be reappointed. Vacancies on the commission shall be filled for the remainder of the term of and in the same manner as the original appointment. The commission shall meet quarterly and may hold special meetings on the call of the chairperson. The members of the commission shall be reimbursed for actual expenses while engaged in their official duties. Members may also be eligible to receive compensation as provided in section 7E.6.

3. Members of the commission shall appoint a chairperson and vice chairperson and other officers as the commission deems necessary. A majority of members of the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 151. Section 216A.143, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.143 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the opportunities for and changing needs of the African American community in this state.
2. Serve as liaison between the office and the public, sharing information and gathering constituency input.
3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.
4. Recommend executive and legislative action to the governor and general assembly.
5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 152. Section 216A.146, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.146 Office on the status of African Americans.

The office on the status of African Americans is established and shall do the following:

1. Serve as the central permanent agency to advocate for African Americans.
2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of African Americans in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.
3. Develop, coordinate, and assist other public or private organizations which serve African Americans.
4. Serve as an information clearinghouse on programs and agencies operating to assist African Americans.

Sec. 153. Section 216A.151, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 154. Section 216A.151, subsection 3, Code 2009, is amended to read as follows:

3. "Commission" means the commission on the status of Iowans of Asian and Pacific Islander heritage affairs.

Sec. 155. Section 216A.151, subsection 4, Code 2009, is amended to read as follows:

4. "Division" "Office" means the division on the status of Iowans office of Asian and Pacific Islander heritage affairs of the department of human rights.

Sec. 156. Section 216A.152, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.152 Commission of Asian and Pacific Islander affairs established.

1. The commission of Asian and Pacific Islander affairs is established and shall consist of seven members appointed by the governor, subject to confirmation by the senate. Members shall be appointed representing every geographical area of the state and ethnic groups of Asian and Pacific Islander heritage. All members shall reside in Iowa.

2. Terms of office are four years and shall begin and end pursuant to section 69.19. Members whose terms expire may be reappointed. Vacancies on the commission may be filled for the remainder of the term of and in the same manner as the original appointment. Members shall receive actual expenses incurred while serving in their official capacity, subject to statutory limits. Members may also be eligible to receive compensation as provided in section 7E.6.

3. Members of the commission shall appoint a chairperson and vice chairperson and other officers as the commission deems necessary. The commission shall meet at least quarterly during each fiscal year. A majority of the members of the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 157. Section 216A.153, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.153 Commission powers and duties.

The commission shall have the following powers and duties:

1. Study the opportunities for and changing needs of the Asian and Pacific Islander persons in this state.
2. Serve as liaison between the office and the public, sharing information and gathering constituency input.
3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.
4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 158. Section 216A.154, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.154 Office of Asian and Pacific Islander affairs.

The office of Asian and Pacific Islander affairs is established and shall do the following:

1. Serve as the central permanent agency to advocate for lowans of Asian and Pacific Islander heritage.

2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of lowans of Asian and Pacific Islander heritage in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.

3. Develop, coordinate, and assist other public or private organizations which serve lowans of Asian and Pacific Islander heritage.

4. Serve as an information clearinghouse on programs and agencies operating to assist lowans of Asian and Pacific Islander heritage.

Sec. 159. Section 216A.161, subsection 1, Code 2009, is amended by striking the subsection.

Sec. 160. Section 216A.161, subsection 2, Code 2009, is amended to read as follows:

2. "Commission" means the commission on of Native American affairs.

Sec. 161. Section 216A.161, subsection 3, Code 2009, is amended to read as follows:

3. "Division" "Office" means the division on office of Native American affairs of the department of human rights.

Sec. 162. Section 216A.162, subsection 1, Code 2009, is amended to read as follows:

1. A commission on of Native American affairs is established consisting of eleven voting members appointed by the governor, subject to confirmation by the senate. The members of the commission shall appoint one of the members to serve as chairperson of the commission.

Sec. 163. Section 216A.162, Code 2009, is amended by adding the following new subsection:

NEW SUBSECTION. 4. Members of the commission shall appoint one of their members to serve as chairperson and may appoint such other officers as the commission deems necessary. The commission shall meet at least four times per year and shall hold special meetings on the call of the chairperson. The members of the commission shall be reimbursed for actual expenses while engaged in their official duties. A member may also be eligible to receive compensation as provided in section 7E.6. A majority of the members of the commission shall constitute a quorum. A quorum shall be required for the conduct of business of the commission and the affirmative vote of a majority of the currently appointed members is necessary for any substantive action taken by the commission. A member shall not vote on any action if the member has a conflict of interest on the matter and a statement by the member of a conflict of interest shall be conclusive for this purpose.

Sec. 164. Section 216A.165, subsections 1 through 9, Code 2009, are amended by striking the subsections and inserting in lieu thereof the following:

1. Study the opportunities for and changing needs of Native American persons in this state.

2. Serve as a liaison between the department and the public, sharing information and gathering constituency input.

3. Recommend to the board for adoption rules pursuant to chapter 17A as it deems necessary for the commission and office.

4. Recommend legislative and executive action to the governor and general assembly.

5. Establish advisory committees, work groups, or other coalitions as appropriate.

Sec. 165. Section 216A.166, Code 2009, is amended by striking the section and inserting in lieu thereof the following:

216A.166 Office of Native American affairs.

The office of Native American affairs is established and shall do the following:

1. Serve as the central permanent agency to advocate for Native Americans.

2. Coordinate and cooperate with the efforts of state departments and agencies to serve the needs of Native Americans in participating fully in the economic, social, and cultural life of the state, and provide direct assistance to individuals who request it.

3. Develop, coordinate, and assist other public or private organizations which serve Native Americans.

4. Serve as an information clearinghouse on programs and agencies operating to assist Native Americans.

Sec. 166. Section 216A.167, subsections 1 and 2, Code 2009, are amended by striking the subsections.

Sec. 167. Section 216A.167, subsection 3, unnumbered paragraph 1, Code 2009, is amended to read as follows:

The commission and office shall not have the authority to do any of the following:

Sec. 168. REPEAL. Sections 216A.16, 216A.17, 216A.55, 216A.56, 216A.57, 216A.58, 216A.59, 216A.60, 216A.73, 216A.76, 216A.77, 216A.78, 216A.79, 216A.101, 216A.103, 216A.115, 216A.116, 216A.117, 216A.134, 216A.144, 216A.145, 216A.147, 216A.148, 216A.149, 216A.155, 216A.156, 216A.157, 216A.158, 216A.159, 216A.160, 216A.164, 216A.168, 216A.169, and 216A.170, Code 2009, are repealed.

Sec. 169. DEPARTMENT OF HUMAN RIGHTS REORGANIZATION == TRANSITION PROVISIONS.

1. Except for the department director, no other employee of the department of human rights shall be appointed by the governor. Those persons now occupying positions that were previously appointed by the governor shall be retained but shall be subject to the merit system and state human resource management system as provided by sections 8A.412 and 8A.413.

2. Through December 31, 2010, the department director shall be granted reasonable flexibility within the department's appropriation and allotted full-time equivalent positions to reassign, retrain, or reclassify personnel as deemed necessary in order to most effectively and efficiently carry out the department's mission. Any personnel in the state merit system of employment who are transferred from one work unit to another due to the effect of this division of this Act shall be so transferred without any loss in salary, benefits, or accrued years of service.

3. In regard to updating references and format in the Iowa administrative code in order to correspond to the transferring of the authority to adopt rules from the previous divisions of the department of human rights to the department of human rights as established by this division of this Act, the administrative rules coordinator and the administrative rules review committee, in consultation with the administrative code editor, shall jointly develop a schedule for the necessary updating of the Iowa administrative code.

4. Current contracts that bind any division of the department of human rights shall be honored by the department, or expediently and judiciously amended if changes in the name of the contractor must be made before the expiration of the contract.

5. All client and organizational files in the possession of any office subsumed within the division of community advocacy and services as enacted by this division of this Act will become the property of the office that will serve that population.

6. Any replacement of signs, logos, stationery, insignia, uniforms, and related items that is made due to the effect of this division of this Act shall if possible be done as part of the normal replacement cycle for such items.

7. The governor, in consultation with the director of the department of human rights, shall establish a process to implement the requirements of this division of this Act and shall have the authority to terminate and modify the terms of office of voting members of the commissions and the council within the department of human rights in order to effectuate the requirements of this division of this Act. New appointments or reappointments to the commissions and the council as required by this division of this Act shall be made to effectuate the requirement, if applicable, that members shall serve for staggered four-year terms.

Sec. 170. EFFECTIVE UPON ENACTMENT. This division of this Act, being deemed of immediate importance, takes effect upon enactment.